

REMARKS

Reconsideration of this application is respectfully requested. Claims 1-20 are pending in the present application. Claims 16 and 20 stand rejected. Claims 13-15 and 17-19 were allowed. Claims 1-12 were withdrawn from consideration as being directed to a non-elected invention. The rejections set forth in the Office Action are respectfully traversed below.

Claim Rejections – 35 U.S.C. § 102

Claims 16 and 20 are rejected under 35 U.S.C. §102(a) as being anticipated by applicant's admitted prior art (AAPA). For the reasons set forth in detail below, this rejection is respectfully traversed.

In the rejection under §102, the Examiner relies on Fig. 16 and the discussion thereof in the Background of the Invention section of the present application to reject claims 16 and 20.

Claim 16 corresponds, for example, to the scrambling code generation apparatus of the embodiment shown in Fig. 13 of the present application, while rejected claim 20 is directed to a portable radio terminal including the whole scrambling code generation apparatus shown in Fig. 13.

For example, the storage circuit of claims 16 and 20 corresponds to the initial value buffer 22 of the embodiment shown in Fig. 13; the logic circuit of claims 16 and 20 corresponds to the M matrix buffer 27, the selector 28a, the latch 28b, Mo conversion logic circuit 28c of the embodiment shown in Fig. 13; and the arithmetic circuit of claims 16 and 20 corresponds to the multiplier circuit 28d of the embodiment shown in Fig. 13.

The Examiner asserts that the initial value buffer 22 shown in Fig. 16 corresponds to the storage circuit of claims 16 and 20, the shift register (11, 12, 13 and 14) shown in Fig. 16 corresponds to the logic circuit of claims 16 and 20, and the arithmetic circuit 21 shown in Fig. 16 corresponds to the arithmetic circuit of claims 16 and 20.

Contrary to the Examiner's assertion, the elements recited in claims 16 and 20 do not correspond to the elements shown in Fig. 16. Specifically, the logic circuit of claims 16 and 20 functions to obtain a matrix for determining a value of each code forming the sequence of scrambling codes based on a predetermined generation polynomial by a predetermined operation. However, the shift register (11, 12, 13 and 14) of the prior art shown in Fig. 16 does not have such function.

Further, if the registers 11, 12, 13 and 14 of Fig. 16 are considered to be a logic circuit that obtains a matrix by a predetermined operation, as the Examiner contends, then the arithmetic circuit 21 of Fig. 16 can not be considered to multiply a matrix obtained by this logic circuit by the predetermined initial values.

More particularly, the arithmetic circuit 21 of Fig. 16 multiplies matrices stored therein with predetermined initial values stored in the initial values register 22 of Fig. 16. Thus, arithmetic circuit 21 of Fig. 16 does not multiply a matrix obtained by the registers 11, 12, 13 and 14 (considered by the Examiner to be the claimed logic circuit) with the predetermined initial values. In fact, arithmetic circuit 21 of Fig. 16 does not receive an input from the registers 11, 12, 13 and 14. Instead, the arithmetic circuit 21 of Fig. 16 multiplies a matrix stored therein with predetermined initial values received from the initial value buffer 22.

A rejection under §102 requires that each and every element recited in the claims must be disclosed in the prior art reference. As discussed above, AAPA does not disclose each and every element recited in claims 16 and 20. Therefore, the rejection under §102 is improper and should be withdrawn.

Accordingly, reconsideration and withdrawal of the rejection under §102 are respectfully requested.

CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

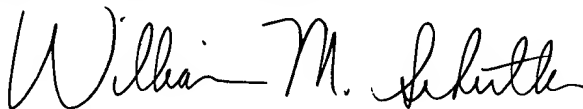
Application No. 09/895,326
Group Art Unit: 2634

Request for Reconsideration under 37 C.F.R. §1.111
Attorney Docket No.: 010848

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "William M. Schertler". The signature is fluid and cursive, with the first name "William" being the most prominent.

William M. Schertler
Attorney for Applicants
Registration No. 35,348
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

WMS/dlt